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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT TACOMA

9 STEVEN PAUL KOZOL,

10 Plaintiff,

11 v.

12 CLINT MAY et al.,

13 Defendants.

14 CASE NO. C11-5200-RBL-JRC

15 ORDER DENYING DEFENDANT'S
16 MOTION TO STAY DISCOVERY

17 This 42 U.S.C. § 1983 civil rights action has been referred to the undersigned Magistrate
18 Judge pursuant to 28 U.S.C. §§ 636(b)(1)(A) and (B) and Local Magistrate Judge Rules MJR 1,
19 MJR 3, and MJR 4. The defendants have filed a motion asking to stay discovery pending
20 decision of a motion for summary judgment (ECF No. 21).

21 In a footnote, defendants state that discovery is concluded and that this motion to stay
22 need only be considered if the Court adopts an updated scheduling order. No such updated
23 scheduling order is before the Court and this anticipatory motion is improper. The motion is
24 DENIED.

25 Dated this 20th day of December, 2011.

26 

27 J. Richard Creatura
28 United States Magistrate Judge